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Intellectual Property Department
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EXAMINER	
JAKOVAC, RYAN J	

ART UNIT	PAPER NUMBER
2145	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/801,043	LEAUTE ET AL.	
	Examiner	Art Unit	
	RYAN J. JAKOVAC	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/17/2007, 11/26/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communications filed on 03/15/2004.

Claims 1-28 are pending.

Claims 1-28 are rejected.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 18 recites the limitation "the seeker end-user device". There is insufficient antecedent basis for this limitation in the claim.

2. Claim 5 recites the limitation “the seeker end-user device”. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-19, and 21-28 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 2003/0002521 to Traversat et al (hereinafter Trav).

Regarding claim 1, Trav teaches a system for discovering potential devices on a peer-to peer (P2P) network, comprising:

a seeker device (Fig. 13-15 disclose requesting peers (i.e. seeker device) which look for peers on the network.); and

a plurality of potential devices operatively connected to the P2P network (Fig. 1B discloses a plurality of peer devices connected to a P2P network.);

wherein each of the plurality of potential devices is associated with one or more identity files, each of the identity files comprising a plurality of searchable elements (Paragraph [0297], Peers send peer discovery messages and peer response messages which comprise elements used to provide information and identification. Paragraph [0300]-[0306] identify attributes (i.e. plurality of searchable elements) of the discovery query message. Paragraphs [0310]-[0315] identify attributes of the response message. See also paragraphs [0206]-[0215] describing service advertisements.);

wherein one or more of the plurality of potential end-user devices post their one or more identity files on the P2P network (Paragraph [0297] and Figures 12-17 disclose peers posting their identity to other peers, discovery proxies, and rendezvous proxies. Paragraph [0292], The discovery proxy receives discovery messages from other peers. Paragraph [0291], Rendezvous peers cache peer and peer group information.);

wherein the seeker device searches the P2P network to discover one or more of the plurality of potential devices based on the one or more identity files of the plurality of the potential devices (Fig. 13, Peers discover each other through rendezvous proxy. Fig. 14, Peers discover each other through discovery proxy.); and

wherein the seeker device initiates a collaboration session with the one or more potential devices (Paragraph [0026], Peers discover each other on the P2P network and communicate (i.e. initiate a collaboration session) with each other.).

Regarding claim 2, Trav teaches the system of claim 1, wherein the seeker device is a seeker end-user device and the plurality of potential devices are a plurality of potential end-user devices (Figures 12-17 discloses peers as seeker end-user devices and potential end-user devices.).

Regarding claim 3, Trav teaches the system of claim 2, wherein each of seeker end-user device and the plurality of potential end-user devices comprises at least one of a personal digital assistant, a laptop, and a cellular phone (Fig. 1B).

Regarding claim 4, Trav teaches the system of claim 1, wherein each of the one or more identity files of the plurality of the potential devices is downloaded from a Web service provider in response to the seeker device sending a Web service request to the Web service provider (Paragraph [0202], A service advertisement uses a WSDL access

method to define messages and the collections of operations supported by the service using a WSDL schema.).

Regarding claim 6, Trav teaches the system of claim 1, wherein the seeker device is a machine connected to an IP network (Paragraph [0069] discloses peers (i.e. seeker devices) connected to an IP network.).

Regarding claim 7, Trav teaches the system of claim 1, wherein the P2P network comprises at least one of Kazaa, OpenNAP, Gnutella, FastTrack, LimeWire, eMule/Kademlia, and Napster (Paragraph [0015] discloses Napster and Gnutella P2P networks. Paragraph [0098] discloses P2P network comprising Napster.).

Regarding claim 8, Trav teaches the system of claim 1, wherein each of the one or more identity files of the plurality of the potential devices comprises an extensible markup language (XML) file (Paragraph [00274] discloses delivery messages (i.e. identity files) as XML messages.).

Regarding claim 9, Trav teaches the system of claim 1, wherein the collaboration session is independent of the P2P network (Paragraph [0292], The discovery proxy receives discovery messages from other peers. Paragraph [0291], Rendezvous peers cache peer and peer group information.).

10. A method for a seeker device discovering potential collaborators on a peer-to peer (P2P) network, comprising:

discovering one or more entry point nodes to the P2P network (Fig. 15 discloses a requesting peer discovering another peer.);

registering a seeker device on the P2P network (Paragraph [0028], Rendezvous nodes cache bootstrap node's (i.e. seeker device) advertisements.);

performing identity provisioning on a P2P network (Paragraph [0297], Peers have peer discovery messages and peer response messages, each of which comprise elements used to provide information and identification. See also Fig. 15-17.);

performing one or more searches on the P2P network (Paragraph [0074], The core components of the peer-to-peer protocol may be used to implement discovery mechanisms for searching, publishing and recovering of core abstractions (e.g. peers, peer group, pipes, endpoints, and advertisements.). Fig. 15, requesting peer sends a query message (i.e. searches). Paragraph [0147], The process of finding, downloading and installing a service from the network may include performing a search on the network for the service and retrieving the service.);

obtaining one or more search results for potential collaborators on the P2P network (Fig. 15, Discovery response message (i.e. search result) is sent from a peer.); and

initiating at least one of an application and a service to form a collaboration session with one or more potential collaborators from the search results (Abstract, Resources give the devices access to services which implement P2P platform

protocols. Paragraph [0145], Peers publicize a service by publishing service advertisements for the service which other peers then discover (i.e. form a collaboration). Paragraph [0015] also discloses P2P systems for delivering services.).

Regarding claim 11, Trav teaches the method of claim 10, wherein performing identity provisioning comprises performing self-provisioning (Fig. 15-17, Peers perform self provisioning by acting as senders and receivers of discovery query messages and discovery response messages. Paragraph [0291], Rendezvous proxy is used by other peers to discover each other. The rendezvous proxy may itself be a peer (i.e. self provisioning).).

Regarding claim 12, Trav teaches the method of claim 11, wherein performing self-provisioning comprises automatically self-provisioning using at least one of a clear text xml filename and a hash key derived from the profile information (Paragraph [0205], Service advertisements are sent out as XML messages. Paragraph [0253], The messages contain a unique identifier known as a canonical name. The name may be a hash code.).

Regarding claim 13, Trav teaches the method of claim 10, further comprising obtaining service and identity availability for each of the one or more search results (Paragraph [0274], XML messages comprising discovery requests and responses.).

Regarding claim 14, Trav teaches the method of claim 10, further comprising narrowing the search results (Paragraph [0098], Bridging is used to narrow the search to a specific portion of a P2P network.).

Regarding claim 15, Trav teaches the method of claim 14, wherein narrowing the search results comprises: downloading a search form from a Web service provider in response to a Web service request, the search form comprising a plurality of search fields; populating one or more of the plurality of search fields; and narrowing the one or more search results based on the one or more of the plurality of search fields (Paragraph [0098], Bridging is used to forward a search to another peer who modifies the search to his specific P2P network and returns the results. Also, paragraph [0114] discloses narrowing the search scope based on a scope field (i.e. search field). Paragraph [0158], Discovery service may be used to search for peers, peer groups, and pipes (i.e. multiple search criteria).).

Regarding claim 16, Trav teaches the method of claim 10, wherein discovering one or more entry point nodes to the P2P network comprises: querying a Web service running on a Web service cluster (Fig. 13-17 discloses a peers sending request messages to other peers including rendezvous proxies and discovery proxies.); receiving an identity form from a Web service provider in response to a Web service request (Fig. 15-17, response messages.), the identity form comprises a plurality of information fields (Paragraphs [0310]-[0315] identify attributes of the response

message. See also paragraphs [0206]-[0215] describing the attributes of service advertisements); populating one or more of the plurality of information fields; and posting the identity form on the P2P network (Paragraph [0028], Rendezvous nodes cache advertisements (i.e. identity forms) for other nodes.).

Regarding claims 17, 27, and 28, Trav teaches the method and machine-readable medium for a seeker device discovering potential collaborators on a peer-to peer (P2P) network, comprising:

registering with a P2P network (Paragraph [0280], Peers register through the rendezvous node.);

initiating a Web service to a Web service provider (Paragraph [0146]-[0148], Peers provide services to other peers.);

requesting an available P2P server on the P2P network from the Web service provider using the Web service (Paragraph [0146]-[0148], Peers search for and use services requested from nodes providing the service.);

registering the available P2P server in a Web service cluster using the Web service (Paragraph [0146], A peer publicizes a service by publishing a service advertisement for a service which allows other peers to discover the service.);

performing identity self-provisioning on the P2P network (Fig. 15-17, Peers perform self provisioning by acting as senders and receivers of discovery query messages and discovery response messages. Paragraph [0291], Rendezvous proxy is

used by other peers to discover each other. The rendezvous proxy may itself be a peer (i.e. self provisioning).);

obtaining one or more search results searching for a potential collaborator on the P2P network (Fig. 15-17, response messages.);

obtaining service and identity availability for each search result (Fig. 15-17, response messages. Paragraph [0300]-[0306] identify attributes (i.e. plurality of searchable elements) of the discovery query message. Paragraphs [0310]-[0315] identify attributes of the response message. See also paragraphs [0206]-[0215] describing service advertisements.);

narrowing the number of search results to generate a narrowed result list (Paragraph [0098], Bridging is used to narrow the search to a specific portion of a P2P network.); and

initiating a collaboration session with one or more potential collaborators on the narrowed result list (Paragraph [0098], Bridging is used to connect (i.e. initiate a collaboration session) peers.).

Regarding claim 18, Trav teaches the method of claim 17, wherein registering with a P2P network comprises registering automatically with a P2P network when the seeker end-user device connects to an IP network (Paragraph [0099] discloses automatic discovery (i.e. registering automatically).).

Regarding claim 19, Trav teaches the method of claim 17, wherein initiating a Web service to a Web service provider comprises initiating a Web service to a Web service provider using HTTP/XML/SOAP protocols (Paragraph [0205], web service advertisements use XML protocol.).

Regarding claim 21, Trav teaches the method of claim 17, wherein requesting an available P2P server on the P2P network from the Web service provider using the Web service comprises sending a Web service request using a Web service to the Web service provider, the Web service request requesting a list of available P2P servers (Fig. 13-17 disclose sending discovery messages (i.e. requesting a list of available P2P servers). The peers may be service providers. See paragraphs [0206]-[0215].).

Regarding claim 22, Trav teaches the method of claim 21, wherein sending a Web service request using a Web service to the Web service provider comprises sending a Web service request defined in a WSDL service descriptor file using a Web service to the Web service provider (Paragraph [0202], A service advertisement uses a WSDL access method to define messages and the collections of operations supported by the service using a WSDL schema.).

Regarding claim 23, Trav teaches the method of claim 17, wherein performing identity self-provisioning on the P2P network comprises: receiving an identity form from the Web service provider in response to a Web service request (Figures 15-17 disclose

receiving a response message (i.e. identity form).), the identity form comprises a plurality of information fields (Paragraphs [0310]-[0315] identify attributes of the response message. See also paragraphs [0206]-[0215] describing the attributes of service advertisements); populating one or more of the plurality of information fields; and posting the identity form on the P2P network (Paragraph [0028], Rendezvous nodes cache advertisements (i.e. identity forms) for other nodes.).

Regarding claim 24, Trav teaches the method of claim 17, wherein obtaining one or more search results searching for a potential collaborator on the P2P network comprises performing a P2P filename search (Paragraph [0147], The process of finding a service includes a search. Paragraph [0203], The service advertisement points to a file.).

Regarding claim 22, Trav teaches the method of claim 17, wherein narrowing the number of search results to generate a narrowed result list comprises: downloading a search form from the Web service provider in response to a Web service request, the search form comprising a plurality of search fields; populating one or more of the plurality of search fields; narrowing the one or more search results based on the one or more of the plurality of search fields; and storing the results from the step of narrow in the narrowed result list (Paragraph [0098], Bridging is used to forward a search to another peer who modifies the search to his specific P2P network and returns the results. Also, paragraph [0114] discloses narrowing the search scope based on a scope

field (i.e. search field). Paragraph [0158], Discovery service may be used to search for peers, peer groups, and pipes (i.e. multiple search criteria).).

Regarding claim 26, Trav teaches the method of claim 17, wherein initiating a collaboration session with one or more potential collaborators on the narrowed result list comprises with one or more potential collaborators on the narrowed result list independent of the P2P network (Paragraph [0292], The discovery proxy receives discovery messages from other peers. Paragraph [0291], Rendezvous peers cache peer and peer group information. Paragraph [0026], Peers discover each other on the P2P network and communicate (i.e. initiate a collaboration session) with each other. Paragraph [0098], Peers communicate irrespective of P2P network.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 5 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trav in view of U.S. 2003/0217140 to Burbeck et al (hereinafter Burbeck).

Regarding claim 5, Trav teaches the system of claim 1, wherein the seeker end-user device logs on a Web service provider to gain access to the P2P network using Web services and simple-object access protocols (SOAP) over hypertext transfer protocol (HTTP) and internet protocol (IP) networks (Paragraph [0202], A service advertisement uses a WSDL access method to define messages and the collections of operations supported by the service using a WSDL schema.). Trav does not expressly disclose using SOAP protocols, but Burbeck discloses providing web services to nodes in a P2P network using SOAP to provide XML-based messaging in paragraph [0057] of Burbeck.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine using SOAP as taught by Burbeck with the system of Trav in order to provide the discovery and publication of web services in a P2P network (Burbeck paragraph [0057]).

Regarding claim 20, Trav teaches the method of claim 17, further comprising discovering the Web service provider using a UDDI Web service registry and business entities (Burbeck, paragraph [0057], Web services are provided using UDDI messages to access a UDDI registry.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine using a UDDI Web service registry as taught by Burbeck with the system of Trav in order to provide the discovery and publication of web services in a P2P network (Burbeck paragraph [0057]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145